



TOWN OF UPTON, MASSACHUSETTS

Planning Board

RECEIVED

OCT 29 2015

**Notice of Planning Board Hearing
Relative to Site Plan Approval
Pursuant to M.G.L. Chapter 40A, § 11 and
Upton Zoning Bylaw Section 9.4**

**PLANNING BOARD
GRAFTON, MA**

The Planning Board of the Town of Upton, Massachusetts will hold a public hearing on Tuesday, November 10, 2015 at 7:15 pm at the Upton Town Hall, Conference Room 203 to consider the following application:

Site Plan Approval Application of the Town of Upton/ DPW (owner/applicant) to construct a 30-space parking lot at Kiwanis Beach adjacent to the soccer field with access from Cider Mill Ln (Assessors Map 16/Lot 39).

A copy of the application is on file at the Town Clerk's office and may be inspected during regular business hours. Any person interested or wishing to be heard on the proposed application should appear at the time and place designated.

Upton Planning Board
Margaret Carroll, Chair

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By Kelly A McElreath at 2:27 pm, Oct 22, 2015

City of Worcester, Massachusetts

Andrew Truman
Chair



Satya Mitra – Vice Chair
Robert Ochoa – Clerk
John Vigliotti
Andrew Freilich

October 28, 2015

Re: Special Permit Application - 462 Grafton Street

PLEASE TAKE NOTICE:

At a meeting held on September 30, 2015 the Planning Board voted 5-0 to approve the requested Special Permit to allow motor vehicle service, repair, garage, and display within the Commercial Corridor Overlay District (Article IX, Section 5, A.1.a.) submitted by Kamel Kamel, petitioner and owner for property located at 462 Grafton Street (PB-2015-023). The purpose of the petition is to allow for motor vehicle service, repair, garage, and display, and re-configure the existing site layout - connecting the upper and lower parking areas - with a total of 12 surface parking spaces proposed along with associated site-work, grading, and paving.

The petition was approved subject to the following conditions:

1. That the project be completed and the site be operated in substantial accordance with the final approved plan;
2. That the applicant provide six (6) copies of revised, to-scale plans, to DPRS showing the following prior to the issuance of a certificate of occupancy:

Landscaping/Screening:

- a. That all proposed trees are of a non-Asian-Longhorned Beetle susceptible species;
- b. That the existing trees along the west of the site be protected;
- c. That landscaping be provided and maintained as depicted on the plans provided;

Operations/Maintenance:

- d. That snow shall be stored in the areas designated on the plan and shall be trucked off site once on-site storage impedes with the required number of parking spaces or impedes visibility on-site;
- e. That the hours of operation and hours of any/all deliveries and dumpster servicing shall be limited to Monday through Saturday from 7 a.m. to 7 p.m.;
- f. That all customer vehicles shall be delivered via the Grafton Street access to the site;
- g. That all windows facing Acton Street shall be closed during business hours to attenuate noise;
- h. That no equipment, machinery, or motor vehicles, etc. shall be parked or stored outside of the building on the portion of the property adjacent to Acton Street to provide a visual buffer from the site;

City of Worcester Planning Board

Worcester City Hall, 455 Main Street, Room 404 (4th floor), Worcester, Massachusetts 01608

Telephone: (508) 799-1400 x260 Fax: (508) 799-1406

Email: planning@worcesterma.gov

Website: www.worcesterma.gov/development



Parking/Loading/Circulation:

- i. Demarcate the required loading space to be shown wholly inside the lower level of the structure (per Article IV. Section 7, Table 4.5. 2);
- j. That any and all loading and unloading shall not take place in the public rights-of-way;
- k. That the site shall be striped to provide two customer parking spaces as depicted between the building and Grafton Street, and that other paved areas as depicted on the plans provided be retained for additional parking and/or temporary storage of vehicles (striping not required);
- l. That a 20 ft. clear aisle width be maintained at all times on the north side of the building;
- m. That the rear portion of the site, accessed by Acton Street, shall be restricted for access and used by employees only and shall be designated as such with appropriate signage;
- n. That a 6 ft. tall stockade style fence shall be maintained along the Acton Street entrance in order to restrict access to the site;
- o. That the chain link fence bisecting the paved area to the north of the building be removed;
- p. That any chain link fencing to remain be retained in a good state of repair. If/when replaced, fencing should be solid stockade fencing or black-vinyl coated chain link;
- q. Barbed wire fencing shall be removed or hidden from public view;
- r. That a maximum of two service bays shall be used on-site and all associated repair and service activities shall be conducted on the first floor (i.e. Grafton Street level);
- s. That the use of the lower level of the structure (i.e. Acton Street level) shall be used for indoor storage of motor-vehicles and no service or repair activities shall be conducted therein;
- t. That parking of vehicles within 30 feet from the northern driveway is prohibited and that no vehicle may block access from the northern driveway;
- u. All debris not related to the use of the property shall be removed; and
- v. The plan shall show 1 van-accessible handicapped parking space.

The final signed decision for the petition was filed at the office of the City Clerk on **October 22, 2015**.

Any appeal of this decision shall be made pursuant to the Massachusetts General Laws, Chapter 40A, Section 17 and a copy delivered to the office of the City Clerk within twenty (20) days of the date that the decision was filed in the office of the City Clerk.

Note to the applicant: Twenty calendar days following the date that the decision was filed with the City Clerk (see above), you may go to the City Clerk's office at the City Hall (2nd floor) and obtain a certified copy of the decision to file with your deed at the Registry of Deeds (90 Front Street, Level 2). Your approved petition is not valid until it has been recorded.

The Planning Board is committed to ensuring that its public meetings are accessible to people with disabilities. Should you require auxiliary aids, services, written materials in other formats, reasonable modifications in policies and procedures, please call 508-799-1400 ext. 260 in advance of the scheduled meeting.

Worcester Planning Board

c/o Division of Planning & Regulatory Services

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TOWN OF UPTON, MASSACHUSETTS

Code Enforcement Department
Zoning Board of AppealsPLANNING BOARD
GRAFTON, MA

Special Permit and/or Variance Decision

Applicant Name: Tom Birdsey
4 Taft St
Upton MA

Property Location: 4 Taft St
Book: 52359 **Page:** 191

Notice of Hearing – Milford Daily News:

Original Hearing Date: Wed. 8/19/
Continued: 9/23/15 & 10/21/15 (closed)

Date: 8/4/15

Date: 8/11/15

Hearing Place: Upton Town Hall

Board Members Present:

William Andrews Yes
Stedman Briggs No
Joseph Lurie Yes

Alternate Board Members Present:

James Bates, Jr. Yes
Richard Desjardins Yes


Applicants Request: Application of Tom Birdsey of 4 Taft St for a Special Permit to operate a screen print t-shirt business in the garage on this property with a small sign for the business; and a Special Permit for an Accessory Apartment for in-law use.

Decision: Motion to grant Tom Birdsey of 4 Taft St a Special Permit to operate a screen print t-shirt business in his garage with the following conditions: no materials or chemicals to be stored outside; may have up to 3 employees, if additional employees are needed will need to return to the ZBA for discussion; all parking is to be on this property not on the street. Per the applicant noise and additional traffic relative to this business is minimal. A small sign per the Upton Zoning Bylaws is allowed for this business. A separate Special Permit is also granted for an Accessory Apartment for in-law use. Construction and renovation is per the plan presented to the Board. Motion was seconded and made unanimous for both special permits. It is the determination of this Board that the decision is consistent with past rulings and doesn't derogate from the intent of the bylaws.

The following members of the Board of Appeals voted to grant two Special Permits:

William Andrews	Yes
James Bates, Jr.	Yes
Joseph Lurie	Yes

An appeal from the decision of the Upton Zoning Board of Appeals may be made by any person aggrieved pursuant to MGL Chapter 40A, section 17, as amended, within twenty days of the date of filing of a notice of decision at the Office of the Town Clerk.


Joseph Lurie, Chairman
Zoning Board of Appeals